



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB3639

Introduced 2/24/2005, by Rep. Julie Hamos

SYNOPSIS AS INTRODUCED:

See Index

Amends the Election Code and the Illinois Vehicle Code. Requires that deputy registrars accept voter registrations of persons residing anywhere in Illinois. Requires the Departments of Human Services, Children and Family Services, Public Aid, and Employment Services to provide voter registration at their facilities. Requires those Departments, the Secretary of State, and public institutions of higher learning to post downloadable, printable voter registration forms on their websites. Requires public institutions of higher learning to include voter registration forms in any student registration materials they mail to Illinois addresses. Authorizes General Assembly members to provide voter registration forms at their district offices. Requires that address changes made at driver services facilities with respect to driver's licenses be sent to the proper election authority unless the person specifically requests that the change not be sent for voter registration purposes. Requires first time voters who registered by mail to vote in person unless they first provide specified types of documents identifying their name and address. Permits a registered voter whose name has changed but who lives in the same precinct to vote after making an affidavit at the polling place as to his or her identity and registration (now, only if the name change occurred at certain times and only if another voter attests to his or her identity). Requires the election authority to treat the affidavit as a request to register under the new name. Permits election authorities that post specimen ballots on their websites to publish notice of the website specimen ballots and availability of specimen ballots by mail, as an alternative to publishing the specimen ballots in newspapers. Requires that an employer must give an employee 2 hours to vote if the employee's work day begins less than 2 hours after the polls open and ends less than 2 hours before the polls close. Prohibits an employer from reducing an employee's compensation as a result of the employee's absence to vote. With respect to electronic voting systems, removes the requirement that a vendor's computer codes must be kept confidential. Makes other changes.

LRB094 10022 JAM 40280 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing
5 Sections 4-6.2, 4-16, 5-16.2, 5-23, 6-50.2, 6-54, 7-21, 16-10,
6 17-15, 23-15.1, 24C-2, and 24C-12 and by adding Sections 1A-17,
7 1A-17.5, 4-105, 5-105, and 6-105 as follows:

8 (10 ILCS 5/1A-17 new)

9 Sec. 1A-17. Voter registration outreach.

10 (a) The Secretary of State, the Department of Human
11 Services, the Department of Children and Family Services, the
12 Department of Public Aid, the Department of Employment
13 Security, and each public institution of higher learning in
14 Illinois must make available on its World Wide Web site a
15 downloadable, printable voter registration form that complies
16 with the requirements in subsection (d) of Section 1A-16 for
17 the State Board of Elections' voter registration form.

18 (b) Each public institution of higher learning in Illinois
19 must include voter registration information and a voter
20 registration form supplied by the State Board of Elections
21 under subsection (e) of Section 1A-16 in any mailing of student
22 registration materials to an address located in Illinois. Each
23 public institution of higher learning must provide voter
24 registration information and a voter registration form
25 supplied by the State Board of Elections under subsection (e)
26 of Section 1A-16 to each person with whom the institution
27 conducts in-person student registration.

28 (c) Each member of the General Assembly may make available,
29 or authorize his or her staff to make available, voter
30 registration forms supplied by the State Board of Elections
31 under subsection (e) of Section 1A-16 to the public at the
32 member's district office in a manner determined by the member.

1 (d) As used in this Section, a public institution of higher
2 learning means a public university, college, or community
3 college in Illinois.

4 (10 ILCS 5/1A-17.5 new)

5 Sec. 1A-17.5. Voter registration at State services
6 facilities. The Department of Human Services, the Department of
7 Children and Family Services, the Department of Public Aid, and
8 the Department of Employment Security shall provide voter
9 registration services at each facility where they provide
10 services to the public or to their clients. The voter
11 registration services shall be the same as, and the manner in
12 which they are provided shall be similar to, those provided by
13 the Secretary of State at driver services facilities in
14 compliance with the National Voter Registration Act of 1993,
15 the Help America Vote Act of 2002, Sections 4-6.2, 5-16.2, and
16 6-50.2 of this Code, and Section 2-105 of the Illinois Vehicle
17 Code.

18 The Secretary of State, the Department of Human Services,
19 the Department of Children and Family Services, the Department
20 of Public Aid, and the Department of Employment Security are
21 subject to rules adopted by the State Board of Elections that
22 implement the National Voter Registration Act of 1993 and the
23 Help America Vote Act of 2002. The State Board of Elections
24 shall modify or adopt rules for the implementation of this
25 Section. In the interest of public welfare, the State Board of
26 Elections may initially modify or initially adopt rules
27 implementing this Section under the emergency rulemaking
28 provisions of Section 5-45 of the Illinois Administrative
29 Procedure Act.

30 The Secretary of State, the Department of Human Services,
31 the Department of Children and Family Services, the Department
32 of Public Aid, and the Department of Employment Security shall
33 adopt rules for the implementation of this Section. In the
34 interest of public welfare, the Secretary of State and each
35 Department may initially adopt rules implementing this Section

1 under the emergency rulemaking provisions of Section 5-45 of
2 the Illinois Administrative Procedure Act.

3 (10 ILCS 5/4-6.2) (from Ch. 46, par. 4-6.2)

4 Sec. 4-6.2. (a) The county clerk shall appoint all
5 municipal and township or road district clerks or their duly
6 authorized deputies as deputy registrars who may accept the
7 registration of all qualified residents of the State ~~their~~
8 ~~respective municipalities, townships and road districts. A~~
9 ~~deputy registrar serving as such by virtue of his status as a~~
10 ~~municipal clerk, or a duly authorized deputy of a municipal~~
11 ~~clerk, of a municipality the territory of which lies in more~~
12 ~~than one county may accept the registration of any qualified~~
13 ~~resident of the municipality, regardless of which county the~~
14 ~~resident, municipal clerk or the duly authorized deputy of the~~
15 ~~municipal clerk lives in.~~

16 The county clerk shall appoint all precinct
17 committeepersons in the county as deputy registrars who may
18 accept the registration of any qualified resident of the State
19 ~~county~~, except during the 27 days preceding an election.

20 The election authority shall appoint as deputy registrars a
21 reasonable number of employees of the Secretary of State
22 located at driver's license examination stations and
23 designated to the election authority by the Secretary of State
24 who may accept the registration of any qualified residents of
25 the State ~~county~~ at any such driver's license examination
26 stations. The appointment of employees of the Secretary of
27 State as deputy registrars shall be made in the manner provided
28 in Section 2-105 of the Illinois Vehicle Code.

29 The county clerk shall appoint deputy registrars
30 designated by the Department of Human Services, the Department
31 of Children and Family Services, the Department of Public Aid,
32 and the Department of Employment Security who may accept the
33 registration of qualified residents of the State as provided in
34 Section 1A-17.5.

35 The county clerk shall appoint each of the following named

1 persons as deputy registrars upon the written request of such
2 persons:

3 1. The chief librarian, or a qualified person
4 designated by the chief librarian, of any public library
5 situated within the election jurisdiction, who may accept
6 the registrations of any qualified resident of the State
7 ~~county~~, at such library.

8 2. The principal, or a qualified person designated by
9 the principal, of any high school, elementary school, or
10 vocational school situated within the election
11 jurisdiction, who may accept the registrations of any
12 qualified resident of the State ~~county~~, at such school. The
13 county clerk shall notify every principal and
14 vice-principal of each high school, elementary school, and
15 vocational school situated within the election
16 jurisdiction of their eligibility to serve as deputy
17 registrars and offer training courses for service as deputy
18 registrars at conveniently located facilities at least 4
19 months prior to every election.

20 3. The president, or a qualified person designated by
21 the president, of any university, college, community
22 college, academy or other institution of learning situated
23 within the election jurisdiction, who may accept the
24 registrations of any resident of the State ~~county~~, at such
25 university, college, community college, academy or
26 institution.

27 4. A duly elected or appointed official of a bona fide
28 labor organization, or a reasonable number of qualified
29 members designated by such official, who may accept the
30 registrations of any qualified resident of the State
31 ~~county~~.

32 5. A duly elected or appointed official of a bonafide
33 State civic organization, as defined and determined by rule
34 of the State Board of Elections, or qualified members
35 designated by such official, who may accept the
36 registration of any qualified resident of the State ~~county~~.

1 In determining the number of deputy registrars that shall
2 be appointed, the county clerk shall consider the
3 population of the jurisdiction, the size of the
4 organization, the geographic size of the jurisdiction,
5 convenience for the public, the existing number of deputy
6 registrars in the jurisdiction and their location, the
7 registration activities of the organization and the need to
8 appoint deputy registrars to assist and facilitate the
9 registration of non-English speaking individuals. In no
10 event shall a county clerk fix an arbitrary number
11 applicable to every civic organization requesting
12 appointment of its members as deputy registrars. The State
13 Board of Elections shall by rule provide for certification
14 of bonafide State civic organizations. Such appointments
15 shall be made for a period not to exceed 2 years,
16 terminating on the first business day of the month
17 following the month of the general election, and shall be
18 valid for all periods of voter registration as provided by
19 this Code during the terms of such appointments.

20 6. (Blank.) ~~The Director of the Illinois Department of~~
21 ~~Public Aid, or a reasonable number of employees designated~~
22 ~~by the Director and located at public aid offices, who may~~
23 ~~accept the registration of any qualified resident of the~~
24 ~~county at any such public aid office.~~

25 7. (Blank.) ~~The Director of the Illinois Department of~~
26 ~~Employment Security, or a reasonable number of employees~~
27 ~~designated by the Director and located at unemployment~~
28 ~~offices, who may accept the registration of any qualified~~
29 ~~resident of the county at any such unemployment office.~~

30 8. The president of any corporation as defined by the
31 Business Corporation Act of 1983, or a reasonable number of
32 employees designated by such president, who may accept the
33 registrations of any qualified resident of the State
34 county.

35 If the request to be appointed as deputy registrar is
36 denied, the county clerk shall, within 10 days after the date

1 the request is submitted, provide the affected individual or
2 organization with written notice setting forth the specific
3 reasons or criteria relied upon to deny the request to be
4 appointed as deputy registrar.

5 The county clerk may appoint as many additional deputy
6 registrars as he considers necessary. The county clerk shall
7 appoint such additional deputy registrars in such manner that
8 the convenience of the public is served, giving due
9 consideration to both population concentration and area. Some
10 of the additional deputy registrars shall be selected so that
11 there are an equal number from each of the 2 major political
12 parties in the election jurisdiction. The county clerk, in
13 appointing an additional deputy registrar, shall make the
14 appointment from a list of applicants submitted by the Chairman
15 of the County Central Committee of the applicant's political
16 party. A Chairman of a County Central Committee shall submit a
17 list of applicants to the county clerk by November 30 of each
18 year. The county clerk may require a Chairman of a County
19 Central Committee to furnish a supplemental list of applicants.

20 Deputy registrars may accept registrations at any time
21 other than the 27 day period preceding an election. All persons
22 appointed as deputy registrars shall be registered voters
23 within the county and shall take and subscribe to the following
24 oath or affirmation:

25 "I do solemnly swear (or affirm, as the case may be) that I
26 will support the Constitution of the United States, and the
27 Constitution of the State of Illinois, and that I will
28 faithfully discharge the duties of the office of deputy
29 registrar to the best of my ability and that I will register no
30 person nor cause the registration of any person except upon his
31 personal application before me.

32
33 (Signature Deputy Registrar)"

34 This oath shall be administered by the county clerk, or by
35 one of his deputies, or by any person qualified to take
36 acknowledgement of deeds and shall immediately thereafter be

1 filed with the county clerk.

2 Appointments of deputy registrars under this Section,
3 except precinct committeemen, shall be for 2-year terms,
4 commencing on December 1 following the general election of each
5 even-numbered year; except that the terms of the initial
6 appointments shall be until December 1st following the next
7 general election. Appointments of precinct committeemen shall
8 be for 2-year terms commencing on the date of the county
9 convention following the general primary at which they were
10 elected. The county clerk shall issue a certificate of
11 appointment to each deputy registrar, and shall maintain in his
12 office for public inspection a list of the names of all
13 appointees.

14 (b) The county clerk shall be responsible for training all
15 deputy registrars appointed pursuant to subsection (a), at
16 times and locations reasonably convenient for both the county
17 clerk and such appointees. The county clerk shall be
18 responsible for certifying and supervising all deputy
19 registrars appointed pursuant to subsection (a). Deputy
20 registrars appointed under subsection (a) shall be subject to
21 removal for cause.

22 (c) Completed registration materials under the control of
23 deputy registrars, appointed pursuant to subsection (a), shall
24 be returned to the appointing ~~proper~~ election authority within
25 7 days, except that completed registration materials received
26 by the deputy registrars during the period between the 35th and
27 28th day preceding an election shall be returned by the deputy
28 registrars to the appointing ~~proper~~ election authority within
29 48 hours after receipt thereof. The completed registration
30 materials received by the deputy registrars on the 28th day
31 preceding an election shall be returned by the deputy
32 registrars within 24 hours after receipt thereof. Unused
33 materials shall be returned by deputy registrars appointed
34 pursuant to paragraph 4 of subsection (a), not later than the
35 next working day following the close of registration.

36 (d) The county clerk or board of election commissioners, as

1 the case may be, must provide any additional forms requested by
2 any deputy registrar regardless of the number of unaccounted
3 registration forms the deputy registrar may have in his or her
4 possession.

5 (e) No deputy registrar shall engage in any electioneering
6 or the promotion of any cause during the performance of his or
7 her duties.

8 (f) The county clerk shall not be criminally or civilly
9 liable for the acts or omissions of any deputy registrar. Such
10 deputy registrars shall not be deemed to be employees of the
11 county clerk.

12 (g) Completed registration materials returned by deputy
13 registrars for persons residing outside the county shall be
14 transmitted by the county clerk within 2 days after receipt to
15 the election authority of the person's election jurisdiction of
16 residence.

17 (Source: P.A. 92-816, eff. 8-21-02; 93-574, eff. 8-21-03.)

18 (10 ILCS 5/4-16) (from Ch. 46, par. 4-16)

19 Sec. 4-16. Any registered voter who changes his residence
20 from one address to another within the same county wherein this
21 Article is in effect, may have his registration transferred to
22 his new address by making and signing an application for change
23 of residence address upon a form to be provided by the county
24 clerk. Such application must be made to the office of the
25 county clerk and may be made either in person or by mail. In
26 case the person is unable to sign his name, the county clerk
27 shall require him to execute the application in the presence of
28 the county clerk or of his properly authorized representative,
29 by his mark, and if satisfied of the identity of the person,
30 the county clerk shall make the transfer.

31 Upon receipt of the application, the county clerk, or one
32 of his employees deputized to take registrations shall cause
33 the signature of the voter and the data appearing upon the
34 application to be compared with the signature and data on the
35 registration record card, and if it appears that the applicant

1 is the same person as the person previously registered under
2 that name the transfer shall be made.

3 No transfers of registration under the provisions of this
4 Section shall be made during the 27 days preceding any election
5 at which such voter would be entitled to vote. When a removal
6 of a registered voter takes place from one address to another
7 within the same precinct within a period during which a
8 transfer of registration cannot be made before any election or
9 primary, he shall be entitled to vote upon presenting the
10 judges of election his affidavit substantially in the form
11 prescribed in Section 17-10 of this Act of a change of
12 residence address within the precinct on a date therein
13 specified.

14 The county clerk may obtain information from utility
15 companies, city, village, incorporated town and township
16 records, the post office, or from other sources, regarding the
17 removal of registered voters, and may treat such information,
18 and information procured from his death and marriage records on
19 file in his office, as an application to erase from the
20 register any name concerning which he may so have information
21 that the voter is no longer qualified to vote under the name,
22 or from the address from which registered, and give notice
23 thereof in the manner provided by Section 4--12 of this
24 Article, and notify voters who have changed their address that
25 a transfer of registration may be made in the manner provided
26 in this Section enclosing a form therefor.

27 If any person be registered by error in a precinct other
28 than that in which he resides, the county clerk may transfer
29 his registration to the proper precinct, and if the error is or
30 may be on the part of the registration officials, and is
31 disclosed too late before an election or primary to mail the
32 certificate required by Section 4--15, such certificate may be
33 personally delivered to the voter and he may vote thereon as
34 therein provided, but such certificates so issued shall be
35 specially listed with the reason for the issuance thereof.

36 Where a revision or rearrangement of precincts is made by

1 the county board, the county clerk shall immediately transfer
2 to the proper precinct the registration of any voter affected
3 by such revision or rearrangement of the precinct; make the
4 proper notations on the registration cards of a voter affected
5 by the revision or rearrangement and shall issue revised
6 certificates to each registrant of such change.

7 Any registered voter who changes his or her name by
8 marriage or otherwise shall be required to register anew and
9 authorize the cancellation of the previous registration; but if
10 the voter still resides in the same precinct ~~and if the change~~
11 ~~of name takes place within a period during which a transfer of~~
12 ~~registration cannot be made, preceding any election or primary,~~
13 the elector may, if otherwise qualified, vote upon making an
14 affidavit at the polling place attesting that the voter is the
15 same person who is registered to vote under his or her former
16 name. The affidavit shall be treated by the election authority
17 as authorization to cancel the registration under the former
18 name, and the election authority shall register the person
19 under his or her current name. ~~substantially in the form~~
20 ~~prescribed in Section 17-10 of this Act.~~

21 The precinct election officials shall report to the county
22 clerk the names and addresses of all persons who have changed
23 their addresses and voted, which shall be treated as an
24 application to change address accordingly, and the names and
25 addresses of all persons otherwise voting by affidavit as in
26 this Section provided, which shall be treated as an application
27 to erase under Section 4--12 hereof.

28 (Source: P.A. 92-816, eff. 8-21-02.)

29 (10 ILCS 5/4-105 new)

30 Sec. 4-105. First time voter. A person must vote for the
31 first time in person and not by a mailed absentee ballot if the
32 person registered to vote by mail, unless the person first
33 provides the appropriate election authority with sufficient
34 proof of identity by the person's driver's license number or
35 State identification card number or, if the person does not

1 have either of those, by the last 4 digits of the person's
2 social security number, a copy of a current and valid photo
3 identification, or a copy of a current utility bill, bank
4 statement, paycheck, government check, or other government
5 document that shows the person's name and address.

6 (10 ILCS 5/5-16.2) (from Ch. 46, par. 5-16.2)

7 Sec. 5-16.2. (a) The county clerk shall appoint all
8 municipal and township clerks or their duly authorized deputies
9 as deputy registrars who may accept the registration of all
10 qualified residents of the State ~~their respective counties. A~~
11 ~~deputy registrar serving as such by virtue of his status as a~~
12 ~~municipal clerk, or a duly authorized deputy of a municipal~~
13 ~~clerk, of a municipality the territory of which lies in more~~
14 ~~than one county may accept the registration of any qualified~~
15 ~~resident of any county in which the municipality is located,~~
16 ~~regardless of which county the resident, municipal clerk or the~~
17 ~~duly authorized deputy of the municipal clerk lives in.~~

18 The county clerk shall appoint all precinct
19 committeepersons in the county as deputy registrars who may
20 accept the registration of any qualified resident of the State
21 ~~county~~, except during the 27 days preceding an election.

22 The election authority shall appoint as deputy registrars a
23 reasonable number of employees of the Secretary of State
24 located at driver's license examination stations and
25 designated to the election authority by the Secretary of State
26 who may accept the registration of any qualified residents of
27 the State ~~county~~ at any such driver's license examination
28 stations. The appointment of employees of the Secretary of
29 State as deputy registrars shall be made in the manner provided
30 in Section 2-105 of the Illinois Vehicle Code.

31 The county clerk shall appoint deputy registrars
32 designated by the Department of Human Services, the Department
33 of Children and Family Services, the Department of Public Aid,
34 and the Department of Employment Security who may accept the
35 registration of qualified residents of the State as provided in

1 Section 1A-17.5.

2 The county clerk shall appoint each of the following named
3 persons as deputy registrars upon the written request of such
4 persons:

5 1. The chief librarian, or a qualified person
6 designated by the chief librarian, of any public library
7 situated within the election jurisdiction, who may accept
8 the registrations of any qualified resident of the State
9 ~~county~~, at such library.

10 2. The principal, or a qualified person designated by
11 the principal, of any high school, elementary school, or
12 vocational school situated within the election
13 jurisdiction, who may accept the registrations of any
14 resident of the State ~~county~~, at such school. The county
15 clerk shall notify every principal and vice-principal of
16 each high school, elementary school, and vocational school
17 situated within the election jurisdiction of their
18 eligibility to serve as deputy registrars and offer
19 training courses for service as deputy registrars at
20 conveniently located facilities at least 4 months prior to
21 every election.

22 3. The president, or a qualified person designated by
23 the president, of any university, college, community
24 college, academy or other institution of learning situated
25 within the election jurisdiction, who may accept the
26 registrations of any resident of the State ~~county~~, at such
27 university, college, community college, academy or
28 institution.

29 4. A duly elected or appointed official of a bona fide
30 labor organization, or a reasonable number of qualified
31 members designated by such official, who may accept the
32 registrations of any qualified resident of the State
33 ~~county~~.

34 5. A duly elected or appointed official of a bona fide
35 State civic organization, as defined and determined by rule
36 of the State Board of Elections, or qualified members

1 designated by such official, who may accept the
2 registration of any qualified resident of the State ~~county~~.
3 In determining the number of deputy registrars that shall
4 be appointed, the county clerk shall consider the
5 population of the jurisdiction, the size of the
6 organization, the geographic size of the jurisdiction,
7 convenience for the public, the existing number of deputy
8 registrars in the jurisdiction and their location, the
9 registration activities of the organization and the need to
10 appoint deputy registrars to assist and facilitate the
11 registration of non-English speaking individuals. In no
12 event shall a county clerk fix an arbitrary number
13 applicable to every civic organization requesting
14 appointment of its members as deputy registrars. The State
15 Board of Elections shall by rule provide for certification
16 of bona fide State civic organizations. Such appointments
17 shall be made for a period not to exceed 2 years,
18 terminating on the first business day of the month
19 following the month of the general election, and shall be
20 valid for all periods of voter registration as provided by
21 this Code during the terms of such appointments.

22 6. (Blank.) ~~The Director of the Illinois Department of~~
23 ~~Public Aid, or a reasonable number of employees designated~~
24 ~~by the Director and located at public aid offices, who may~~
25 ~~accept the registration of any qualified resident of the~~
26 ~~county at any such public aid office.~~

27 7. (Blank.) ~~The Director of the Illinois Department of~~
28 ~~Employment Security, or a reasonable number of employees~~
29 ~~designated by the Director and located at unemployment~~
30 ~~offices, who may accept the registration of any qualified~~
31 ~~resident of the county at any such unemployment office.~~

32 8. The president of any corporation as defined by the
33 Business Corporation Act of 1983, or a reasonable number of
34 employees designated by such president, who may accept the
35 registrations of any qualified resident of the State
36 ~~county~~.

1 one of his deputies, or by any person qualified to take
2 acknowledgement of deeds and shall immediately thereafter be
3 filed with the county clerk.

4 Appointments of deputy registrars under this Section,
5 except precinct committeemen, shall be for 2-year terms,
6 commencing on December 1 following the general election of each
7 even-numbered year, except that the terms of the initial
8 appointments shall be until December 1st following the next
9 general election. Appointments of precinct committeemen shall
10 be for 2-year terms commencing on the date of the county
11 convention following the general primary at which they were
12 elected. The county clerk shall issue a certificate of
13 appointment to each deputy registrar, and shall maintain in his
14 office for public inspection a list of the names of all
15 appointees.

16 (b) The county clerk shall be responsible for training all
17 deputy registrars appointed pursuant to subsection (a), at
18 times and locations reasonably convenient for both the county
19 clerk and such appointees. The county clerk shall be
20 responsible for certifying and supervising all deputy
21 registrars appointed pursuant to subsection (a). Deputy
22 registrars appointed under subsection (a) shall be subject to
23 removal for cause.

24 (c) Completed registration materials under the control of
25 deputy registrars, appointed pursuant to subsection (a), shall
26 be returned to the appointing ~~proper~~ election authority within
27 7 days, except that completed registration materials received
28 by the deputy registrars during the period between the 35th and
29 28th day preceding an election shall be returned by the deputy
30 registrars to the appointing ~~proper~~ election authority within
31 48 hours after receipt thereof. The completed registration
32 materials received by the deputy registrars on the 28th day
33 preceding an election shall be returned by the deputy
34 registrars within 24 hours after receipt thereof. Unused
35 materials shall be returned by deputy registrars appointed
36 pursuant to paragraph 4 of subsection (a), not later than the

1 next working day following the close of registration.

2 (d) The county clerk or board of election commissioners, as
3 the case may be, must provide any additional forms requested by
4 any deputy registrar regardless of the number of unaccounted
5 registration forms the deputy registrar may have in his or her
6 possession.

7 (e) No deputy registrar shall engage in any electioneering
8 or the promotion of any cause during the performance of his or
9 her duties.

10 (f) The county clerk shall not be criminally or civilly
11 liable for the acts or omissions of any deputy registrar. Such
12 deputy registers shall not be deemed to be employees of the
13 county clerk.

14 (g) Completed registration materials returned by deputy
15 registrars for persons residing outside the county shall be
16 transmitted by the county clerk within 2 days after receipt to
17 the election authority of the person's election jurisdiction of
18 residence.

19 (Source: P.A. 92-816, eff. 8-21-02; 93-574, eff. 8-21-03.)

20 (10 ILCS 5/5-23) (from Ch. 46, par. 5-23)

21 Sec. 5-23. Any registered voter who changes his residence
22 from one address, number or place to another within the same
23 county wherein this article 5 is in effect, may have his
24 registration transferred to his new address by making and
25 signing an application for such change of residence upon a form
26 to be provided by the county clerk. Such application must be
27 made to the office of the county clerk. In case the person is
28 unable to sign his name the county clerk shall require such
29 person to execute the request in the presence of the county
30 clerk or of his properly authorized representative, by his
31 mark, and if satisfied of the identity of the person, the
32 county clerk shall make the transfer.

33 Upon receipt of such application, the county clerk, or one
34 of his employees deputized to take registrations shall cause
35 the signature of the voter and the data appearing upon the

1 application to be compared with the signature and data on the
2 registration record, and if it appears that the applicant is
3 the same person as the party previously registered under that
4 name the transfer shall be made.

5 Transfer of registration under the provisions of this
6 section may not be made within the period when the county
7 clerk's office is closed to registration prior to an election
8 at which such voter would be entitled to vote.

9 Any registered voter who changes his or her name by
10 marriage or otherwise, shall be required to register anew and
11 authorize the cancellation of the previous registration;
12 provided, however, that if the change of name takes place
13 within a period during which such new registration cannot be
14 made, next preceding any election or primary, the elector may,
15 if otherwise qualified, vote upon making the following
16 affidavit before the judges of election:

17 I do solemnly swear that I am the same person now
18 registered in the precinct of the ward of the city of
19 or District Town of under the name of and
20 that I still reside in said precinct or district.

21 (Signed)

22 If the voter whose name has changed still resides in the
23 same precinct, the voter may vote after making the affidavit at
24 the polling place regardless of when the change of name
25 occurred. In that event, the affidavit shall not state that the
26 voter is required to register; the affidavit shall be treated
27 by the election authority as authorization to cancel the
28 registration under the former name, and the election authority
29 shall register the voter under his or her current name.

30 ~~When a removal of a registered voter takes place from one~~
31 ~~address to another within the same precinct within a period~~
32 ~~during which such transfer of registration cannot be made,~~
33 ~~before any election or primary, he shall be entitled to vote~~
34 ~~upon presenting to the judges of election an affidavit of a~~
35 ~~change and having said affidavit supported by the affidavit of~~
36 ~~a qualified voter of the same precinct.~~

1 Suitable forms for this purpose shall be provided by the
2 county clerk. The form in all cases shall be similar to the
3 form furnished by the county clerk for county and state
4 elections.

5 The precinct election officials shall report to the county
6 clerk the names and addresses of all such persons who have
7 changed their addresses and voted. The city, village, town and
8 incorporated town clerks shall within five days after every
9 election report to the county clerk the names and addresses of
10 the persons reported to them as having voted by affidavit as in
11 this section provided.

12 The county clerk may obtain information from utility
13 companies, city, village, town and incorporated town records,
14 the post office or from other sources regarding the removal of
15 registered voters and notify such voters that a transfer of
16 registration may be made in the manner provided by this
17 section.

18 If any person be registered by error in a precinct other
19 than that in which he resides the county clerk shall be
20 empowered to transfer his registration to the proper precinct.

21 Where a revision or rearrangement of precincts is made by
22 the board of county commissioners, the county clerk shall
23 immediately transfer to the proper precinct the registration of
24 any voter affected by such revision or rearrangement of the
25 precincts; make the proper notations on the registration cards
26 of a voter affected by the revision of registration and shall
27 notify the registrant of such change.

28 (Source: P.A. 80-1469.)

29 (10 ILCS 5/5-105 new)

30 Sec. 5-105. First time voter. A person must vote for the
31 first time in person and not by a mailed absentee ballot if the
32 person registered to vote by mail, unless the person first
33 provides the appropriate election authority with sufficient
34 proof of identity by the person's driver's license number or
35 State identification card number or, if the person does not

1 have either of those, by the last 4 digits of the person's
2 social security number, a copy of a current and valid photo
3 identification, or a copy of a current utility bill, bank
4 statement, paycheck, government check, or other government
5 document that shows the person's name and address.

6 (10 ILCS 5/6-50.2) (from Ch. 46, par. 6-50.2)

7 Sec. 6-50.2. (a) The board of election commissioners shall
8 appoint all precinct committeepersons in the election
9 jurisdiction as deputy registrars who may accept the
10 registration of any qualified resident of the State ~~election~~
11 ~~jurisdiction~~, except during the 27 days preceding an election.

12 The election authority shall appoint as deputy registrars a
13 reasonable number of employees of the Secretary of State
14 located at driver's license examination stations and
15 designated to the election authority by the Secretary of State
16 who may accept the registration of any qualified residents of
17 the State ~~county~~ at any such driver's license examination
18 stations. The appointment of employees of the Secretary of
19 State as deputy registrars shall be made in the manner provided
20 in Section 2-105 of the Illinois Vehicle Code.

21 The board of election commissioners shall appoint deputy
22 registrars designated by the Department of Human Services, the
23 Department of Children and Family Services, the Department of
24 Public Aid, and the Department of Employment Security who may
25 accept the registration of qualified residents of the State as
26 provided in Section 1A-17.5.

27 The board of election commissioners shall appoint each of
28 the following named persons as deputy registrars upon the
29 written request of such persons:

30 1. The chief librarian, or a qualified person
31 designated by the chief librarian, of any public library
32 situated within the election jurisdiction, who may accept
33 the registrations of any qualified resident of the State
34 ~~election jurisdiction~~, at such library.

35 2. The principal, or a qualified person designated by

1 the principal, of any high school, elementary school, or
2 vocational school situated within the election
3 jurisdiction, who may accept the registrations of any
4 resident of the State ~~election jurisdiction~~, at such
5 school. The board of election commissioners shall notify
6 every principal and vice-principal of each high school,
7 elementary school, and vocational school situated in the
8 election jurisdiction of their eligibility to serve as
9 deputy registrars and offer training courses for service as
10 deputy registrars at conveniently located facilities at
11 least 4 months prior to every election.

12 3. The president, or a qualified person designated by
13 the president, of any university, college, community
14 college, academy or other institution of learning situated
15 within the State ~~election jurisdiction~~, who may accept the
16 registrations of any resident of the election
17 jurisdiction, at such university, college, community
18 college, academy or institution.

19 4. A duly elected or appointed official of a bona fide
20 labor organization, or a reasonable number of qualified
21 members designated by such official, who may accept the
22 registrations of any qualified resident of the State
23 ~~election jurisdiction~~.

24 5. A duly elected or appointed official of a bona fide
25 State civic organization, as defined and determined by rule
26 of the State Board of Elections, or qualified members
27 designated by such official, who may accept the
28 registration of any qualified resident of the State
29 ~~election jurisdiction~~. In determining the number of deputy
30 registrars that shall be appointed, the board of election
31 commissioners shall consider the population of the
32 jurisdiction, the size of the organization, the geographic
33 size of the jurisdiction, convenience for the public, the
34 existing number of deputy registrars in the jurisdiction
35 and their location, the registration activities of the
36 organization and the need to appoint deputy registrars to

1 assist and facilitate the registration of non-English
2 speaking individuals. In no event shall a board of election
3 commissioners fix an arbitrary number applicable to every
4 civic organization requesting appointment of its members
5 as deputy registrars. The State Board of Elections shall by
6 rule provide for certification of bona fide State civic
7 organizations. Such appointments shall be made for a period
8 not to exceed 2 years, terminating on the first business
9 day of the month following the month of the general
10 election, and shall be valid for all periods of voter
11 registration as provided by this Code during the terms of
12 such appointments.

13 6. (Blank.) ~~The Director of the Illinois Department of~~
14 ~~Public Aid, or a reasonable number of employees designated~~
15 ~~by the Director and located at public aid offices, who may~~
16 ~~accept the registration of any qualified resident of the~~
17 ~~election jurisdiction at any such public aid office.~~

18 7. (Blank.) ~~The Director of the Illinois Department of~~
19 ~~Employment Security, or a reasonable number of employees~~
20 ~~designated by the Director and located at unemployment~~
21 ~~offices, who may accept the registration of any qualified~~
22 ~~resident of the election jurisdiction at any such~~
23 ~~unemployment office. If the request to be appointed as~~
24 ~~deputy registrar is denied, the board of election~~
25 ~~commissioners shall, within 10 days after the date the~~
26 ~~request is submitted, provide the affected individual or~~
27 ~~organization with written notice setting forth the~~
28 ~~specific reasons or criteria relied upon to deny the~~
29 ~~request to be appointed as deputy registrar.~~

30 8. The president of any corporation, as defined by the
31 Business Corporation Act of 1983, or a reasonable number of
32 employees designated by such president, who may accept the
33 registrations of any qualified resident of the State
34 ~~election jurisdiction.~~

35 The board of election commissioners may appoint as many
36 additional deputy registrars as it considers necessary. The

1 board of election commissioners shall appoint such additional
 2 deputy registrars in such manner that the convenience of the
 3 public is served, giving due consideration to both population
 4 concentration and area. Some of the additional deputy
 5 registrars shall be selected so that there are an equal number
 6 from each of the 2 major political parties in the election
 7 jurisdiction. The board of election commissioners, in
 8 appointing an additional deputy registrar, shall make the
 9 appointment from a list of applicants submitted by the Chairman
 10 of the County Central Committee of the applicant's political
 11 party. A Chairman of a County Central Committee shall submit a
 12 list of applicants to the board by November 30 of each year.
 13 The board may require a Chairman of a County Central Committee
 14 to furnish a supplemental list of applicants.

15 Deputy registrars may accept registrations at any time
 16 other than the 27 day period preceding an election. All persons
 17 appointed as deputy registrars shall be registered voters
 18 within the election jurisdiction and shall take and subscribe
 19 to the following oath or affirmation:

20 "I do solemnly swear (or affirm, as the case may be) that I
 21 will support the Constitution of the United States, and the
 22 Constitution of the State of Illinois, and that I will
 23 faithfully discharge the duties of the office of registration
 24 officer to the best of my ability and that I will register no
 25 person nor cause the registration of any person except upon his
 26 personal application before me.

27
 28 (Signature of Registration Officer)"

29 This oath shall be administered and certified to by one of
 30 the commissioners or by the executive director or by some
 31 person designated by the board of election commissioners, and
 32 shall immediately thereafter be filed with the board of
 33 election commissioners. The members of the board of election
 34 commissioners and all persons authorized by them under the
 35 provisions of this Article to take registrations, after
 36 themselves taking and subscribing to the above oath, are

1 authorized to take or administer such oaths and execute such
2 affidavits as are required by this Article.

3 Appointments of deputy registrars under this Section,
4 except precinct committeemen, shall be for 2-year terms,
5 commencing on December 1 following the general election of each
6 even-numbered year, except that the terms of the initial
7 appointments shall be until December 1st following the next
8 general election. Appointments of precinct committeemen shall
9 be for 2-year terms commencing on the date of the county
10 convention following the general primary at which they were
11 elected. The county clerk shall issue a certificate of
12 appointment to each deputy registrar, and shall maintain in his
13 office for public inspection a list of the names of all
14 appointees.

15 (b) The board of election commissioners shall be
16 responsible for training all deputy registrars appointed
17 pursuant to subsection (a), at times and locations reasonably
18 convenient for both the board of election commissioners and
19 such appointees. The board of election commissioners shall be
20 responsible for certifying and supervising all deputy
21 registrars appointed pursuant to subsection (a). Deputy
22 registrars appointed under subsection (a) shall be subject to
23 removal for cause.

24 (c) Completed registration materials under the control of
25 deputy registrars appointed pursuant to subsection (a) shall be
26 returned to the appointing ~~proper~~ election authority within 7
27 days, except that completed registration materials received by
28 the deputy registrars during the period between the 35th and
29 28th day preceding an election shall be returned by the deputy
30 registrars to the appointing ~~proper~~ election authority within
31 48 hours after receipt thereof. The completed registration
32 materials received by the deputy registrars on the 28th day
33 preceding an election shall be returned by the deputy
34 registrars within 24 hours after receipt thereof. Unused
35 materials shall be returned by deputy registrars appointed
36 pursuant to paragraph 4 of subsection (a), not later than the

1 next working day following the close of registration.

2 (d) The county clerk or board of election commissioners, as
3 the case may be, must provide any additional forms requested by
4 any deputy registrar regardless of the number of unaccounted
5 registration forms the deputy registrar may have in his or her
6 possession.

7 (e) No deputy registrar shall engage in any electioneering
8 or the promotion of any cause during the performance of his or
9 her duties.

10 (f) The board of election commissioners shall not be
11 criminally or civilly liable for the acts or omissions of any
12 deputy registrar. Such deputy registrars shall not be deemed to
13 be employees of the board of election commissioners.

14 (g) Completed registration materials returned by deputy
15 registrars for persons residing outside the election
16 jurisdiction shall be transmitted by the board of election
17 commissioners within 2 days after receipt to the election
18 authority of the person's election jurisdiction of residence.

19 (Source: P.A. 92-816, eff. 8-21-02; 93-574, eff. 8-21-03.)

20 (10 ILCS 5/6-54) (from Ch. 46, par. 6-54)

21 Sec. 6-54. Any registered voter who changes his or her name
22 by marriage or otherwise, shall be required to register anew
23 and authorize the cancellation of the previous registration;
24 provided, however, that if the change of name takes place
25 within a period during which such new registration cannot be
26 made, next preceding any election or primary, the elector may,
27 if otherwise qualified, vote upon making the following
28 affidavit before the judges of election:

29 "I do solemnly swear that I am the same person now
30 registered in the precinct of the ward, under the
31 name of and that I still reside in said precinct.

32 (Signed)...."

33 If the voter whose name has changed still resides in the
34 same precinct, the voter may vote after making the affidavit at
35 the polling place regardless of when the change of name

1 occurred. In that event, the affidavit shall not state that the
2 voter is required to register; the affidavit shall be treated
3 by the election authority as authorization to cancel the
4 registration under the former name, and the election authority
5 shall register the voter under his or her current name.

6 (Source: Laws 1943, vol. 2, p. 1.)

7 (10 ILCS 5/6-105 new)

8 Sec. 6-105. First time voter. A person must vote for the
9 first time in person and not by a mailed absentee ballot if the
10 person registered to vote by mail, unless the person first
11 provides the appropriate election authority with sufficient
12 proof of identity by the person's driver's license number or
13 State identification card number or, if the person does not
14 have either of those, by the last 4 digits of the person's
15 social security number, a copy of a current and valid photo
16 identification, or a copy of a current utility bill, bank
17 statement, paycheck, government check, or other government
18 document that shows the person's name and address.

19 (10 ILCS 5/7-21) (from Ch. 46, par. 7-21)

20 Sec. 7-21. The election authority shall transmit or cause
21 to be delivered to the primary judges, and to the respective
22 local election officials prior to the consolidated primary,
23 specimen ballots of each political party, substantially in the
24 form of the official primary ballots, to be used at such
25 primary, which specimen ballot shall be printed upon paper of a
26 different texture and color from the official primary ballot.
27 In units of local government having fewer than 500,000
28 inhabitants the election authority shall have published in two
29 or more newspapers published in the county, municipality or
30 town, as the case may be, or if there is no such newspaper,
31 then in any two or more newspapers published in the county and
32 having general circulation throughout the community, at least 5
33 days prior to the general primary, a true copy of the specimen
34 ballot, and the primary judges shall post one of each such

1 specimen ballots at the polling place. In counties,
2 municipalities or towns having 500,000 or more inhabitants the
3 primary judges shall post not less than 5 of each such specimen
4 ballots in the precinct, and one of each such specimen ballots
5 at the polling place. For the consolidated primary, the local
6 election official shall have the duty to make such publication
7 with respect to the ballots for his unit of local government,
8 and may make his publication as part of the announcement
9 heretofore required.

10 An election authority that posts a specimen ballot on its
11 official website need not publish the specimen ballot in
12 newspapers but may instead publish in those newspapers notice
13 of the specimen ballot on the website, the website address, and
14 instructions on how a person may request that the election
15 authority mail the person a copy of the specimen ballot.

16 (Source: P.A. 80-1469.)

17 (10 ILCS 5/16-10) (from Ch. 46, par. 16-10)

18 Sec. 16-10. The judges of election shall cause not less
19 than one of such cards to be posted in each voting booth
20 provided for the preparation of ballots, and not less than four
21 of such cards to be posted in and about the polling places upon
22 the day of election. In every county of not more than 500,000
23 inhabitants, each election authority shall cause to be
24 published, prior to the day of any election, in at least two
25 newspapers, if there be so many published in such county, a
26 list of all the nominations made as in this Act provided and to
27 be voted for at such election, as near as may be, in the form in
28 which they shall appear upon the general ballot.

29 An election authority that posts a specimen ballot on its
30 official website need not publish the specimen ballot in
31 newspapers but may instead publish in those newspapers notice
32 of the specimen ballot on the website, the website address, and
33 instructions on how a person may request that the election
34 authority mail the person a copy of the specimen ballot.

35 (Source: P.A. 80-1469.)

1 (10 ILCS 5/17-15) (from Ch. 46, par. 17-15)

2 Sec. 17-15. Any person entitled to vote at a general or
3 special election or at any election at which propositions are
4 submitted to a popular vote in this State, shall, on the day of
5 such election, be entitled to absent himself from any services
6 or employment in which he is then engaged or employed, for a
7 period of 2 hours between the time of opening and closing the
8 polls; and such voter shall not because of so absenting himself
9 be liable to any penalty; Provided, however, that application
10 for such leave of absence shall be made prior to the day of
11 election. The employer may specify the hours during which said
12 employee may absent himself as aforesaid, except that the
13 employer must permit a 2-hour absence during working hours if
14 the employee's working hours begin less than 2 hours after the
15 opening of the polls and end less than 2 hours before the
16 closing of the polls. No person or corporation shall refuse to
17 an employee the privilege hereby conferred, nor shall subject
18 an employee to a penalty, including a reduction in compensation
19 due to an absence under this Section, because of the exercise
20 of such privilege, nor shall directly or indirectly violate the
21 provisions of this section.

22 (Source: Laws 1963, p. 2532.)

23 (10 ILCS 5/23-15.1)

24 Sec. 23-15.1. Production of ballot counting code ~~and~~
25 ~~attendance of witnesses~~. All voting-system vendors shall,
26 within 90 days after the adoption of rules or upon application
27 for voting-system approval, place in escrow all computer code
28 for its voting system with the State Board of Elections. All
29 computer codes placed in escrow with the State Board of
30 Elections shall be public records available for inspection at
31 the principal office of the State Board of Elections. This
32 requirement in no way prohibits vendors from charging any fees
33 for the initial distribution or ongoing maintenance of their
34 software. Notwithstanding any other provision of law to the

1 contrary, no action required under this Code shall invalidate
2 the copyright protections otherwise enjoyed by the owners or
3 authors of those codes. The State Board of Elections shall
4 promulgate rules to implement this Section. For purposes of
5 this Section, the term "computer code" includes, but is not
6 limited to, ballot counting source code, table structures,
7 modules, program narratives, and other human readable computer
8 instructions (whether compiled or not) used to count ballots.
9 ~~Any computer code submitted by vendors to the State Board of~~
10 ~~Elections shall be considered strictly confidential and the~~
11 ~~intellectual property of the vendors and shall not be subject~~
12 ~~to public disclosure under the Freedom of Information Act.~~

13 ~~The State Board of Elections shall determine which software~~
14 ~~components of a voting system it deems necessary to enable the~~
15 ~~review and verification of the computer. The State Board of~~
16 ~~Elections shall secure and maintain all proprietary computer~~
17 ~~codes in strict confidence and shall make a computer code~~
18 ~~available to authorized persons in connection with an election~~
19 ~~contest or pursuant to any State or federal court order.~~

20 ~~In an election contest, each party to the contest may~~
21 ~~designate one or more persons who are authorized to receive the~~
22 ~~computer code of the relevant voting systems. The person or~~
23 ~~persons authorized to receive the relevant computer code shall~~
24 ~~enter into a confidentiality agreement with the State Board of~~
25 ~~Elections and must exercise the highest degree of reasonable~~
26 ~~care to maintain the confidentiality of all proprietary~~
27 ~~information.~~

28 The State Board of Elections shall promulgate rules to
29 provide for the security, review, and verification of computer
30 codes. Verification includes, but is not limited to,
31 determining that the computer code corresponds to computer
32 instructions actually in use to count ballots. The State Board
33 of Elections shall hire, contract with, or otherwise provide
34 sufficiently qualified resources, both human and capital, to
35 conduct the reviews with the greatest possible expectation of
36 thoroughness, completeness, and effectiveness. The resources

1 shall be independent of and have no business, personal,
2 professional, or other affiliation with any of the system
3 vendors currently or prospectively supplying voting systems to
4 any county in the State of Illinois. Nothing in this Section
5 shall impair the obligation of any contract between a
6 voting-systems vendor and an election authority that provides
7 access to computer code that is equal to or greater than that
8 provided by this Section.

9 (Source: P.A. 93-574, eff. 8-21-03.)

10 (10 ILCS 5/24C-2)

11 Sec. 24C-2. Definitions. As used in this Article:

12 "Audit trail" or "audit capacity" means a continuous trail
13 of evidence linking individual transactions related to the
14 casting of a vote, the vote count and the summary record of
15 vote totals, but which shall not allow for the identification
16 of the voter. It shall permit verification of the accuracy of
17 the count and detection and correction of problems and shall
18 provide a record of each step taken in: defining and producing
19 ballots and generating related software for specific
20 elections; installing ballots and software; testing system
21 readiness; casting and tabulating ballots; and producing
22 images of votes cast and reports of vote totals. The record
23 shall incorporate system status and error messages generated
24 during election processing, including a log of machine
25 activities and routine and unusual intervention by authorized
26 and unauthorized individuals. Also part of an audit trail is
27 the documentation of such items as ballots delivered and
28 collected, administrative procedures for system security,
29 pre-election testing of voting systems, and maintenance
30 performed on voting equipment. All test results,
31 documentation, and other records used to plan, execute, and
32 record the results of the testing and verification shall be
33 made part of the public record and shall be freely available to
34 anyone. "Audit trail" or "audit capacity" ~~It~~ also means that
35 the voting system is capable of producing and shall produce

1 immediately after a ballot is cast a permanent paper record of
2 each ballot cast that shall be available as an official record
3 for any recount, redundant count, or verification or
4 retabulation of the vote count conducted with respect to any
5 election in which the voting system is used.

6 "Ballot" means an electronic audio or video display or any
7 other medium, including paper, used to record a voter's choices
8 for the candidates of their preference and for or against
9 public questions.

10 "Ballot configuration" means the particular combination of
11 political subdivision or district ballots including, for each
12 political subdivision or district, the particular combination
13 of offices, candidate names and public questions as it appears
14 for each group of voters who may cast the same ballot.

15 "Ballot image" means a corresponding representation in
16 electronic or paper form of the mark or vote position of a
17 ballot.

18 "Ballot label" or "ballot screen" means the display of
19 material containing the names of offices and candidates and
20 public questions to be voted on.

21 "Central counting" means the counting of ballots in one or
22 more locations selected by the election authority for the
23 processing or counting, or both, of ballots. A location for
24 central counting shall be within the territorial jurisdiction
25 of the election authority unless there is no suitable
26 tabulating equipment available within his territorial
27 jurisdiction. However, in any event a counting location shall
28 be within this State.

29 "Computer", "automatic tabulating equipment" or
30 "equipment" includes apparatus necessary to automatically
31 examine and count votes as designated on ballots, and data
32 processing machines which can be used for counting ballots and
33 tabulating results.

34 "Computer operator" means any person or persons designated
35 by the election authority to operate the automatic tabulating
36 equipment during any portion of the vote tallying process in an

1 election, but shall not include judges of election operating
2 vote tabulating equipment in the precinct.

3 "Computer program" or "program" means the set of operating
4 instructions for the automatic tabulating equipment that
5 examines, records, counts, tabulates, canvasses and prints
6 votes recorded by a voter on a ballot.

7 "Direct recording electronic voting system", "voting
8 system" or "system" means the total combination of mechanical,
9 electromechanical or electronic equipment, programs and
10 practices used to define ballots, cast and count votes, report
11 or display election results, maintain or produce any audit
12 trail information, identify all system components, test the
13 system during development, maintenance and operation, maintain
14 records of system errors and defects, determine specific system
15 changes to be made to a system after initial qualification, and
16 make available any materials to the voter such as notices,
17 instructions, forms or paper ballots.

18 "Edit listing" means a computer generated listing of the
19 names of each candidate and public question as they appear in
20 the program for each precinct.

21 "In-precinct counting" means the recording and counting of
22 ballots on automatic tabulating equipment provided by the
23 election authority in the same precinct polling place in which
24 those ballots have been cast.

25 "Marking device" means any device approved by the State
26 Board of Elections for marking a ballot so as to enable the
27 ballot to be recorded, counted and tabulated by automatic
28 tabulating equipment.

29 "Permanent paper record" means a paper record upon which
30 shall be printed in human readable form the votes cast for each
31 candidate and for or against each public question on each
32 ballot recorded in the voting system. Each permanent paper
33 record shall be printed by the voting device upon activation of
34 the marking device by the voter and shall contain a unique,
35 randomly assigned identifying number that shall correspond to
36 the number randomly assigned by the voting system to each

1 ballot as it is electronically recorded.

2 "Redundant count" means a verification of the original
3 computer count of ballots by another count using compatible
4 equipment or other means as part of a discovery recount,
5 including a count of the permanent paper record of each ballot
6 cast by using compatible equipment, different equipment
7 approved by the State Board of Elections for that purpose, or
8 by hand.

9 "Separate ballot" means a separate page or display screen
10 of the ballot that is clearly defined and distinguishable from
11 other portions of the ballot.

12 "Voting device" or "voting machine" means an apparatus that
13 contains the ballot label or ballot screen and allows the voter
14 to record his or her vote.

15 (Source: P.A. 93-574, eff. 8-21-03.)

16 (10 ILCS 5/24C-12)

17 Sec. 24C-12. Procedures for Counting and Tallying of
18 Ballots.

19 In an election jurisdiction where a Direct Recording
20 Electronic Voting System is used, the following procedures for
21 counting and tallying the ballots shall apply:

22 Before the opening of the polls, the judges of elections
23 shall assemble the voting equipment and devices and turn the
24 equipment on. The judges shall, if necessary, take steps to
25 activate the voting devices and counting equipment by inserting
26 into the equipment and voting devices appropriate data cards
27 containing passwords and data codes that will select the proper
28 ballot formats selected for that polling place and that will
29 prevent inadvertent or unauthorized activation of the
30 poll-opening function. Before voting begins and before ballots
31 are entered into the voting devices, the judges of election
32 shall cause to be printed a record of the following: the
33 election's identification data, the device's unit
34 identification, the ballot's format identification, the
35 contents of each active candidate register by office and of

1 each active public question register showing that they contain
2 all zero votes, all ballot fields that can be used to invoke
3 special voting options, and other information needed to ensure
4 the readiness of the equipment and to accommodate
5 administrative reporting requirements. The judges must also
6 check to be sure that the totals are all zeros in the counting
7 columns and in the public counter affixed to the voting
8 devices.

9 After the judges have determined that a person is qualified
10 to vote, a voting device with the proper ballot to which the
11 voter is entitled shall be enabled to be used by the voter. The
12 ballot may then be cast by the voter by marking by appropriate
13 means the designated area of the ballot for the casting of a
14 vote for any candidate or for or against any public question.
15 The voter shall be able to vote for any and all candidates and
16 public measures appearing on the ballot in any legal number and
17 combination and the voter shall be able to delete, change or
18 correct his or her selections before the ballot is cast. The
19 voter shall be able to select candidates whose names do not
20 appear upon the ballot for any office by entering
21 electronically as many names of candidates as the voter is
22 entitled to select for each office.

23 Upon completing his or her selection of candidates or
24 public questions, the voter shall signify that voting has been
25 completed by activating the appropriate button, switch or
26 active area of the ballot screen associated with end of voting.
27 Upon activation, the voting system shall record an image of the
28 completed ballot, increment the proper ballot position
29 registers, and shall signify to the voter that the ballot has
30 been cast. Upon activation, the voting system shall also print
31 a permanent paper record of each ballot cast as defined in
32 Section 24C-2 of this Code. This permanent paper record ~~shall~~
33 ~~either be self-contained within the voting device or shall be~~
34 printed in a clear, readily readable format that can be easily
35 reviewed by the voter for completeness and accuracy and then
36 deposited by the voter into a secure ballot box. No permanent

1 paper record shall be removed from the polling place except by
2 election officials as authorized by this Article. All permanent
3 paper records shall be preserved and secured by election
4 officials in the same manner as paper ballots and shall be
5 available as an official record for any recount, redundant
6 count, or verification or retabulation of the vote count
7 conducted with respect to any election in which the voting
8 system is used. The voter shall exit the voting station and the
9 voting system shall prevent any further attempt to vote until
10 it has been properly re-activated. If a voting device has been
11 enabled for voting but the voter leaves the polling place
12 without casting a ballot, 2 judges of election, one from each
13 of the 2 major political parties, shall spoil the ballot.

14 Throughout the election day and before the closing of the
15 polls, no person may check any vote totals for any candidate or
16 public question on the voting or counting equipment. Such
17 equipment shall be programmed so that no person may reset the
18 equipment for reentry of ballots unless provided the proper
19 code from an authorized representative of the election
20 authority.

21 The precinct judges of election shall check the public
22 register to determine whether the number of ballots counted by
23 the voting equipment agrees with the number of voters voting as
24 shown by the applications for ballot. If the same do not agree,
25 the judges of election shall immediately contact the offices of
26 the election authority in charge of the election for further
27 instructions. If the number of ballots counted by the voting
28 equipment agrees with the number of voters voting as shown by
29 the application for ballot, the number shall be listed on the
30 "Statement of Ballots" form provided by the election authority.

31 The totals for all candidates and propositions shall be
32 tabulated; and 4 copies of a "Certificate of Results" shall be
33 printed by the automatic tabulating equipment; one copy shall
34 be posted in a conspicuous place inside the polling place; and
35 every effort shall be made by the judges of election to provide
36 a copy for each authorized pollwatcher or other official

1 authorized to be present in the polling place to observe the
2 counting of ballots; but in no case shall the number of copies
3 to be made available to pollwatchers be fewer than 4, chosen by
4 lot by the judges of election. In addition, sufficient time
5 shall be provided by the judges of election to the pollwatchers
6 to allow them to copy information from the copy which has been
7 posted.

8 If instructed by the election authority, the judges of
9 election shall cause the tabulated returns to be transmitted
10 electronically to the offices of the election authority via
11 modem or other electronic medium.

12 The precinct judges of election shall select a bi-partisan
13 team of 2 judges, who shall immediately return the ballots in a
14 sealed container, along with all other election materials and
15 equipment as instructed by the election authority; provided,
16 however, that such container must first be sealed by the
17 election judges with filament tape or other approved sealing
18 devices provided for the purpose in a manner that the ballots
19 cannot be removed from the container without breaking the seal
20 or filament tape and disturbing any signatures affixed by the
21 election judges to the container. The election authority shall
22 keep the office of the election authority, or any receiving
23 stations designated by the authority, open for at least 12
24 consecutive hours after the polls close or until the ballots
25 and election material and equipment from all precincts within
26 the jurisdiction of the election authority have been returned
27 to the election authority. Ballots and election materials and
28 equipment returned to the office of the election authority
29 which are not signed and sealed as required by law shall not be
30 accepted by the election authority until the judges returning
31 the ballots make and sign the necessary corrections. Upon
32 acceptance of the ballots and election materials and equipment
33 by the election authority, the judges returning the ballots
34 shall take a receipt signed by the election authority and
35 stamped with the time and date of the return. The election
36 judges whose duty it is to return any ballots and election

1 materials and equipment as provided shall, in the event the
2 ballots, materials or equipment cannot be found when needed, on
3 proper request, produce the receipt which they are to take as
4 above provided.

5 (Source: P.A. 93-574, eff. 8-21-03.)

6 Section 10. The Illinois Vehicle Code is amended by
7 changing Section 2-105 as follows:

8 (625 ILCS 5/2-105) (from Ch. 95 1/2, par. 2-105)

9 Sec. 2-105. Offices of Secretary of State. The Secretary of
10 State shall maintain offices in the State capital and in such
11 other places in the State as he may deem necessary to properly
12 carry out the powers and duties vested in him.

13 The Secretary of State may construct and equip one or more
14 buildings in the State of Illinois outside of the County of
15 Sangamon as he deems necessary to properly carry out the powers
16 and duties vested in him. The Secretary of State may, on behalf
17 of the State of Illinois, acquire public or private property
18 needed therefor by lease, purchase or eminent domain. The care,
19 custody and control of such sites and buildings constructed
20 thereon shall be vested in the Secretary of State. Expenditures
21 for the construction and equipping of any of such buildings
22 upon premises owned by another public entity shall not be
23 subject to the provisions of any State law requiring that the
24 State be vested with absolute fee title to the premises. The
25 exercise of the authority vested in the Secretary of State by
26 this Section is subject to the appropriation of the necessary
27 funds.

28 Pursuant to Sections 4-6.2, 5-16.2, and 6-50.2 of The
29 Election Code, the Secretary of State shall make driver
30 services facilities available for use as temporary places of
31 registration. Registration within the offices shall be in the
32 most public, orderly and convenient portions thereof, and
33 Section 4-3, 5-3, and 11-4 of The Election Code relative to the
34 attendance of police officers during the conduct of

1 registration shall apply. Registration under this Section
2 shall be made in the manner provided by Sections 4-8, 4-10,
3 5-7, 5-9, 6-34, 6-35, and 6-37 of The Election Code.

4 Within 30 days after the effective date of this amendatory
5 Act of 1990, and no later than November 1 of each even-numbered
6 year thereafter, the Secretary of State, to the extent
7 practicable, shall designate to each election authority in the
8 State a reasonable number of employees at each driver services
9 facility registered to vote within the jurisdiction of such
10 election authority and within adjacent election jurisdictions
11 for appointment as deputy registrars by the election authority
12 located within the election jurisdiction where the employees
13 maintain their residences. Such designation shall be in writing
14 and certified by the Secretary of State.

15 Each person applying at a driver services facility for a
16 driver's license or permit, a corrected driver's license or
17 permit, an Illinois identification card or a corrected Illinois
18 identification card shall be notified that the person may
19 register at such station to vote in the State election
20 ~~jurisdiction in which the station is located or in an election~~
21 ~~jurisdiction adjacent to the location of the station~~ and may
22 also transfer his voter registration at such station to a
23 different ~~an~~ address in the State election jurisdiction within
24 ~~which the station is located or to an address in an adjacent~~
25 ~~election jurisdiction~~. Such notification may be made in writing
26 or verbally issued by an employee or the Secretary of State.

27 Whenever an address change is made at a driver services
28 facility with respect to a driver's license or a State
29 identification card, the Secretary of State or Secretary of
30 State employee shall promptly transmit that change to the
31 proper election authority for voter registration purposes,
32 whether or not the person making the change requests that
33 transmission, unless the person specifically requests that the
34 change not be transmitted to an election authority.

35 The Secretary of State shall promulgate such rules as may
36 be necessary for the efficient execution of his duties and the

1 duties of his employees under this amendatory Act of 1990.
2 (Source: P.A. 90-89, eff. 1-1-98.)

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6	10 ILCS 5/4-16	from Ch. 46, par. 4-16
7	10 ILCS 5/4-105 new	
8	10 ILCS 5/5-16.2	from Ch. 46, par. 5-16.2
9	10 ILCS 5/5-23	from Ch. 46, par. 5-23
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